

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

G&G CLOSED CIRCUIT EVENTS, INC.,

Plaintiff,
-against-
LA CANTINA MEX BAR & LOUNGE
CORP., et al.,
Defendants.

USDC SDNY
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ELECTRONICALLY FILED
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1:20-cv-01432 (MKV)

ORDER OF
DISMISSAL

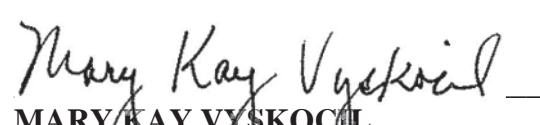
MARY KAY VYSKOCIL, United States District Judge:

The Complaint in this action was filed on February 19, 2020 [ECF No. 1]. Defendants were served, but never responded to Plaintiff's complaint. *See* ECF Nos. 11-12. Plaintiff sought a default judgment [ECF No. 21], but the Court denied the motion without prejudice to refiling on December 16, 2020. *See* Order, ECF No. 29. Since then, Plaintiff has taken no action to prosecute this case. Accordingly, it is hereby:

ORDERED that the above-captioned action is discontinued for failure to prosecute without costs to any party and without prejudice to restoring the action to this Court's calendar if the application to restore the action is made by **May 7, 2021**. Any application to reopen this case must also explain why Plaintiff delayed in refiling a motion for default judgment, and must include a proposed schedule on which Plaintiff will file any such motion. If no such application is made by that date, today's dismissal of the action is with prejudice. *See LeSane v. Hall's Sec. Analyst, Inc.*, 239 F.3d 206, 209 (2d Cir. 2001) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630 (1962)).

SO ORDERED.

Date: April 6, 2021
New York, NY


MARY KAY VYSKOCIL
United States District Judge